	Application No.	Applicant(s)
Notice of Allowability	09/800,212	LANGE ET AL.
	Examiner	Art Unit	
	James S. Wozniak	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *9/21/2005.*

2. ☒ The allowed claim(s) is/are *1-3,5-11,13-19 and 21-24 (now 1-21).*

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

W. R. YOUNG
PRIMARY EXAMINER

DETAILED ACTION

Response to Amendment

1.   In response to the office action from 3/21/2005, the applicant has submitted an amendment, filed 9/21/2005, amending claims 1, 9, and 17, while adding claims 25-27 and arguing to traverse the art rejection based on the amended claim limitations *(Amendment, Pages 8-10)*. Applicant's arguments have been fully considered, and claims 1-3, 5-11, 13-19, and 21-24 are allowable over the prior art of record due to the examiner's amendment and the below noted reasons for allowance.

EXAMINER'S AMENDMENT

2.   An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

        Authorization for this examiner's amendment was given in a telephone interview with Gunnar Leinberg *(Reg. No. 35,584)* on 11/21/2005.

3.   The application has been amended as follows:

Claim 1:

Insert the following between lines 4 and 5:

--determining a type of a caption encoder being used with a speech-to-text processing system;

retrieving settings for the speech-to-text processing system to communicate with the caption encoder based on the identification of the caption encoder;--

In line 7, change "a speech-to-text processing system" to --the speech-to-text processing system--.

Claim 9:

Insert the following in line 4, following "caption data which can be displayed at one time:"

--determines a type of a signal combination processing system being used and retrieves settings for the speech-to-text processing system to communicate with the signal combination processing system based on the identification of the signal combination processing system,--.

Claim 17:

Insert the following between lines 5 and 6:

--determining a type of a caption encoder being used with a speech-to-text processing system;

retrieving settings for the speech-to-text processing system to communicate with the caption encoder based on the identification of the caption encoder;--

In line 8, change "a speech-to-text processing system" to --the speech-to-text processing system--.

Claims 25-27:

Cancel claims 25-27.

Allowable Subject Matter

4.   Claims 1-3, 5-11, 13-19, and 21-24 are allowable over the prior art of record.

5.   The following is an examiner's statement of reasons for allowance:

With respect to **Claims 1, 9, and 17**, the prior art of record fails to explicitly teach or

specifically suggest a captioning method, system, or program stored on a computer readable

medium for use in a classroom environment, wherein a user selects a desired number of lines of

caption data that can be displayed at one time, selects an encoder type for retrieving speech-to-

text processing system settings, and trains the speech-to-text processing system for further

recognizing voice and speech patterns of the user, so that the captioning system or method can

translate a user's speech directly into caption text that is further aligned with an AV signal using

one or more time code cues identifying a particular AV frame and display the AV signal with the

generated caption data in the number of lines specified by the user.

Although Alshawi *(U.S. Patent: 5,815,196)* teaches the use of speech-to-text conversion

in subtitle generation *(Fig. 1)*, Alshawi fails to teach a means for subtitle synchronization

utilizing time code cues, voice recognition, speech-to-text system training, caption line number

selection, or encoder type determination for retrieving speech-to-text settings.

Throckmorton et al *(U.S. Patent: 5,818,441)* teaches a data synchronizing system

utilizing time code cues *(Fig. 2)*, but fails to teach or explicitly suggest, a means for voice

recognition, speech-to-text system training, caption line number selection, or encoder type determination for retrieving speech-to-text settings.

The dependent claims further limit allowable independent claims, and thus, are also allowable over the prior art of record.

Other pertinent prior art:

Imai et al *("An Automatic Caption-Superimposing System with a New Continuous Speech Recognizer," 1994)* teaches an automatic caption generating system trained using speech from a specific user or announcer *(Sections 3.4 and 5)* that is capable of generating text captions from input speech of a specific user *(Section, 3.6, 2, and 5; Fig. 4)*, but fails to teach or explicitly suggest synchronization utilizing time code cues, caption line number selection, or encoder type determination for retrieving speech-to-text settings.

Watanabe et al *("Automatic Caption Generation for Video Data," 1999)* teaches a system for generating captions through speech recognition featuring speech-to-text conversion, time alignments, and phoneme templates trained by specific speakers (Pages 65-69; Fig. 1), but fails to teach or explicitly suggest encoder type determination for retrieving speech-to-text settings or caption line number selection.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure:

Salomon et al *(U.S. Patent: 5,294,982)*- teaches a means for setting a maximum number

of caption rows on a display to comply with captioning standards.

Williams et al *(U.S. Patent: 5,701,161)*- teaches caption specifications that include the

number of lines utilized in caption display.

Shintani *(U.S. Patent: 5,751,371)*- teaches a means for setting the number of caption

lines based on the amount of caption data.

Newlin *(U.S. Patent: 5,774,857)*- teaches caption generation utilizing speech recognition

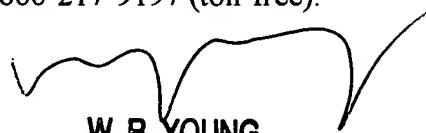and a means for speech recognition system training.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632.

The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

W. R. YOUNG
PRIMARY EXAMINER

James S. Wozniak
11/28/2005